

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 INR-07 NSAE-00 FAA-00 L-03 TRSE-00 OMB-01

/033 R

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EUR/NE:NACHILLES

FAA:TOENNIESSEN

CAB:RASMITH (INFO)

CAB:WBURCH (INFO)

DOT/OST:DSCHROEDER (INFO)

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FM SECSTATE WASHDC

TO AMEMBASSY LONDON

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E.O. 11652: N/A

TAGS: EAIR, UK, US

SUBJECT: CIVAIR - TERMINAL NAVIGATION CHARGES

REF : LONDON 1361, STATE 17304

1. USE OF CONTINENT OF ORIGIN AS EXAMPLE IN STATE
REFTTEL WAS PERHAPS CONFUSING, AND WE LEAVE TO EMBASSY
WAY IN WHICH IT WISHES TO MAKE POINT. POINT ITSELF,
HOWEVER, IS CLEAR: WE WOULD NOT REGARD A SYSTEM OF
TERMINAL NAVIGATION CHARGES BASED ON STAGE LENGTH AS
INSTRINSICALLY BETTER THAN THE PRESENT SYSTEM, BUT WE
WOULD WELCOME THE PRACTICAL EFFECT OF ANY CHANGE WHICH
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RESULTED IN ELIMINATING THE PRESENT DISCRIMINATION.

2. BEGIN FYI: OUR RESPONSE TO BRITISH POINTS WITH REGARD TO ARTICLE 15 IS STILL BEING FORMULATED. IF WE, IN APPLYING FAIR COMPETITIVE PRACTICES ACT, WERE TO ACCEPT POSITION STATED IN PARA 2.A. OF LONDON REFTEL, PRESENT SYSTEM WOULD BE MORE DEFENSIBLE THAN DISCRIMINATION BASED ON STAGE LENGTH (WHICH ICAO REJECTS AS CRITERION FOR TERMINAL-RELATED CHARGES--ICAO DOC 9082-C/1015, PARA 11(III)). WE THEREFORE WISH TO AVOID ANY APPEARANCE OF URGING THE BRITISH TO ADOPT THE LATTER SYSTEM.

3. DISTINCTION CITED PARA 2.B. LONDON REFTEL, WAS INTRODUCED TO MAINTAIN REASONABLE RELATION BETWEEN CHARGE AND COST. TO HAVE CHARGED INTERNATIONAL FLIGHTS EIGHT PERCENT OF TICKET PRICE WOULD HAVE BEEN TO FAIL TO RECOGNIZE THAT ON INTERNATIONAL ROUTES U.S. DOES NOT PROVIDE NAVIGATION FACILITIES FOR ENTIRE FLIGHT. WOULD BRITISH PREFER PAY EIGHT PERCENT?

4. WE DO NOT BELIEVE FACTS CITED PARA 2.C. LONDON REF IN THEMSELVES JUSTIFY DISCRIMINATION AGAINST INTERNATIONAL OPERATORS. END FYI.

5. PURPOSE OF STATE REFTEL WAS SIMPLY TO DISCOVER IF BRITISH HAVE ANY FURTHER SUGGESTION ON WAYS THEY MIGHT CHANGE TERMINAL NAVIGATION CHARGING SYSTEM TO REMOVE IT AS SUBJECT OF DISAGREEMENT. KISSINGER

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